

NOV 15 2004

Approved for use through 07/31/2008. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no person is required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/31 (09-04)

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Docket Number (Optional)

766726610049

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 [37 CFR 1.8(a)] on November 11, 2004

Signature

Suzanne Koston

Typed or printed name

Suzanne Koston

In re Application of

BuAbbud et al.

Application Number

09/540955

Filed

March 31, 2000

For BiDirectional Frequency Shift Coding Using....

Art Unit

2633

Examiner

Li, Shi K.

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 340.00

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. _____. I have enclosed a duplicate copy of this sheet.
- ☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

RECEIVED

NOV 18 2004

Technology Center 2600

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)
- ☒ attorney or agent of record.
Registration number 45,910
- ☐ attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____

Paul E. Franz, Esq.

Signature

Paul E. Franz, Esq.

Typed or printed name

(216) 586-1162

Telephone number

November 11, 2004

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of 2 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Assistant Commissioner for Patents

March 31, 2000

Page 2

- Assignment
- Patent Recordation Cover Sheet
- Check in the amount of \$40.00 to cover the recording fee of the Assignment

LARGE ENTITY

CLAIMS AS FILED

| | Number Filed | Number Extra | Rate | Fee |
|---|--------------|--------------|---------|-----------------|
| Total Claims: | (11-20 =) | 0 | x18.00 | - |
| Independent Claims: | (2- 3 =) | 0 | x78.00 | - |
| <input type="checkbox"/> Mult. Dependent Claim: | | | x260.00 | |
| Basic Fee: | | | | <u>\$690.00</u> |
| Total Filing Fee | | | | \$690.00 |

Please file the application. All correspondence is to be directed to the Applicant's attorney at the address set forth in the Declaration and Power of Attorney for Patent Application.

In the event the check(s) is inadvertently omitted or is insufficient, please charge the required fees to the Jones, Day, Reavis & Pogue Deposit Account 50-0566. Please credit any overpayment to Deposit Account 50-0566. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

JONES, DAY, REAVIS & POGUE

James C. Kesterson
James C. Kesterson
Reg. No. 25,882

Enclosures